



Step-by-Step Guide to Claiming Your SSA Trust

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NOT LEGAL ADVICE**

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Step-by-Step Guide to Claiming Your SSA Trust

Here's a step-by-step guide designed specifically for claiming your SS trust, with a focus on name change procedures and related elements:

1. **Start the Name Change Process:** Legally change your name by going through the court system and obtaining a court decree for this change.
2. **Inform the Social Security Administration (SSA):** Send a formal notification to the SSA that includes your court decree, ensuring your name is updated in their records. This step is essential for reconciling your legal identity with your SS trust.
3. **Request SSN Transfer and Account Closure:** In your communication with the SSA, ask for the transfer of your Social Security Number (SSN) to your new legal name and for the closure of the public welfare aspect of your account.
4. **Assert Full Life Status:** Explicitly state your status as "in Full Life" to counter any assumptions of death, thereby confirming your active status to the SSA.

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5. **Open a Private Bank Account Using SSA-89:** Request guidance on how to utilize form SSA-89 to establish a private bank account, enabling financial transactions under your new legal name.
6. **Transfer Assets and Securities:** Ensure that all assets and securities associated with your SS trust are shifted to your new legal name, paying attention to upper and lower case formatting for precision.
7. **Address Life Estate and Remainder Interest:** If relevant, discuss any life estate and remainder interest issues with SSA to ensure your trust accurately reflects current ownership and beneficiary designations.

Upon finalizing matters concerning life estate and remainder interest, the following steps are recommended for proceeding with the process:

1. Update Legal Documents:

Please ensure that essential legal documents, such as property titles, financial accounts, and identification, are revised to align with your new name and status.

2. Notify Financial Institutions:

Inform banks and financial entities about your name change and update your Social Security Number (SSN) to maintain consistency in financial records and transactions.

3. Verify Updates:

Monitor and confirm updates regularly with the Social Security Administration (SSA) and financial institutions to ensure accurate information. This includes confirming that your Social Security trust reflects your new name and that all benefits and privileges are correctly attributed.

Each step is essential for facilitating a smooth transition and ensuring that your Social Security trust and associated financial matters accurately represent your current legal status. For comprehensive guidance, it is recommended to seek the counsel of professionals specializing in legal and financial aspects of Social Security and trusts.

Social Security

Administration (SSA)

Name Change

Rebutting the Presumption of Death

Life Estate Conveyance

Private Bank Account

WHAT IS THE SSA

AGENCY Definition Blacks Law

A relation, created either by express or implied contract or by law, whereby one party (called the principal or constituent) delegates the transaction of some lawful business or the authority to do certain acts for him or in relation to his rights or property, with more or less discretionary power, to another person (called the agent, attorney, proxy, or delegate) who undertakes to manage the affair and render him an account thereof

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The Social Security Administration (SSA) is a U.S. government agency that administers social programs covering disability, retirement, and survivors' benefits, among other services. It's also responsible for issuing Social Security numbers and managing the program's finances and trust fund. The benefits are funded with payroll taxes paid by employers, employees, and the self-employed. The tax revenue goes into two Social Security trust funds: The Old-Age and Survivors Insurance (OASI) Trust Fund for retirees and the Disability Insurance Trust Fund (DI) for disability beneficiaries, which also make the benefit payments

A Social Security Number (SSN) is a nine-digit number issued to U.S. citizens, permanent residents, and temporary (working) residents under section 205 © (2) of the Social Security Act, codified as 42 U.S.C. § 405 © (2) 1. The Social Security Administration (SSA) issues SSNs to individuals by using a randomization process that was introduced in June 2011

2. The process retains the long-standing nine-digit format but assigns a number to each new Social Security cardholder randomly, eliminating methods that date to the inception of Social Security in the mid-1930s 2. To obtain an SSN for the

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first time, you'll need to apply and show original documents (or copies certified by the issuing agencies)

3. You can begin your application online, but you will need to visit a local Social Security office or card center to complete the application process

4. Once your application is approved, you'll receive a Social Security card with your number on it by mail within 14 days 4.

SSA Act of 1935

SEC. 205. [42 U.S.C. 405]

(a) The Commissioner of Social Security shall have full power and authority to make rules and regulations and to establish procedures, not inconsistent with the provisions of this title which are necessary or appropriate to carry out such provisions, and shall adopt reasonable and proper rules and regulations to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits hereunder.

The Social Security Act was signed into law by President Franklin D. Roosevelt on August 14, 1935. The act created a social insurance program designed to provide economic security to the elderly, disabled, and unemployed Americans. The Social Security program is funded through payroll taxes paid by employers, employees, and the self-employed 3. The act established two trust funds: the Old-Age and Survivors Insurance (OASI) Trust Fund for retirees and the Disability Insurance Trust Fund (DI) for disability beneficiaries

One World Government

Form link: <https://www.ssa.gov/forms/ss-5.pdf>

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David Lester Straight

DAVID LESTER STRAIGHT or DAVID

STRAIGHT or any variation excluding those listed below -

Bonded, Commercial, Admiralty, Legal Name, IRS

David L. Straight - SSI, Transmitting Utility

David Lester Straight - Proper, Land

David Lester Straight - Familial Beneficiary, Living Soul, Air

STRAIGHT, DAVID

LESTER - USPO

STRAIGHT, David Lester -

Vatican Straight, David

Lester – Military

SOCIAL INSURANCE BENEFITS

- You cannot receive social security benefits without being a PUBLIC OFFICER
- As a co-trustee in the welfare fund they now....
- Transferred YOU as the ASSETT to the SSA

26 U.S. Code § 7701 - Definitions

- (a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof-
- (1) PERSON The term "person" shall be construed to mean and include an individual, a trust, estate, partnership, association, company or corporation.
- (6) FIDUCIARY The term " fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any fiduciary capacity for any person.
- (9) UNITED STATES The term "United States" when used in a geographical sense includes only the States and the District of Columbia.
- (10) STATE The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.
- (14) TAXPAYER The term "taxpayer" means any person subject to any internal revenue tax.
- **(20) EMPLOYEE** For the purpose of applying the provisions of section 79 with respect to group-term life insurance purchased for employees,

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for the purpose of applying the provisions of sections 104, 105, and 106 with respect to accident and health insurance or accident and health plans, and for the purpose of applying the provisions of subtitle A with respect to contributions to or under a stock bonus, pension, profit-sharing, or annuity plan, and with respect to distributions under such a plan, or by a trust forming part of such a plan, and for purposes of applying section 125 with respect to cafeteria plans, the term "employee" shall include a full-time life insurance salesman who is considered an employee for the purpose of chapter 21.

- **(26) TRADE OR BUSINESS** The term "trade or business" includes the performance of the functions of a public office.
- **(30) UNITED STATES PERSON** The term "United States person" means (A) a citizen or resident of the United States,
 - (B) a domestic partnership,
 - (C) a domestic corporation,
 - (D) any estate (other than a foreign estate, within the meaning of paragraph (31)), and
 - (E) any trust if (i) a court within the United States is able to exercise primary supervision over the administration of the trust, and
 - (ii) one or more United States persons have the authority to control all substantial decisions of the trust.

Used 26 US 6901 to transfer assets

(a) METHOD OF COLLECTION

The amounts of the following liabilities shall, except as hereinafter in this section provided, be assessed, paid, and collected in the same manner and subject to the same provisions and limitations as in the case of the taxes with respect to which the liabilities were incurred:

(1) INCOME, ESTATE, AND GIFT TAXES

(A) Transferees

The liability, at law or in equity, of a transferee of property-

(i) of a taxpayer in the case of a tax imposed by subtitle A
(relating to income taxes),

(ii) of a decedent in the case of a tax imposed by chapter 11 (relating to

(iii) of a donor in the case of a tax imposed by chapter 12
(relating to gift taxes),

in respect of the tax imposed by subtitle A or B.

(B) Fiduciaries

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The liability of a fiduciary under section 3713(b) of title 31, United States Code, in respect of the payment of any tax described in subparagraph (A) from the estate of the taxpayer, the decedent, or the donor, as the case may be.

(2) OTHER TAXES

The liability, at law or in equity of a transferee of property of any person liable in respect of any tax imposed by this title (other than a tax imposed by subtitle A or B), but only if such liability arises on the liquidation of a partnership or corporation, or on a reorganization within the meaning of section 368(a).

(b) LIABILITY

Any liability referred to in subsection (a) may be either as to the amount of tax shown on a return or as to any deficiency or underpayment of any tax.

(C) PERIOD OF LIMITATIONS

The period of limitations for assessment of any such liability of a transferee or a fiduciary shall be as follows:

(1) INITIAL TRANSFEREE

In the case of the liability of an initial transferee, within 1 year after the expiration of the period of limitation for assessment against the transferor:

(2) TRANSFEREE OF TRANSFEREE

In the case of the liability of a transferee of a transferee, within 1 year after the expiration of the period of limitation for assessment against the preceding transferee, but not more than 3 years after the expiration of the period of limitation for assessment against the initial transferor:

except that if, before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the initial transferor or the last preceding transferee, respectively, then the period of limitation for assessment of the liability of the transferee shall expire 1 year after the return of execution in the court proceeding.

(3) FIDUCIARY

In the case of the liability of a fiduciary, not later than 1 year after the liability arises or not later than the expiration of the period for collection of the tax in respect of which such liability arises, whichever is the later.

Makes you Trustee under USC 26 6903

(a) RIGHTS AND OBLIGATIONS OF FIDUCIARY

Upon notice to the Secretary that any person is acting for another person in a

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fiduciary capacity, such fiduciary shall assume the powers, rights, duties, and privileges of such other person in respect of a tax imposed by this title (except as otherwise specifically provided and except that the tax shall be collected from the estate of such other person), until notice is given that the fiduciary capacity has terminated.

(b) MANNER OF NOTICE

Notice under this section shall be given in accordance with regulations prescribed by the Secretary.

Taxpayer Under 26 USC 7701 (a) (14)

- **(14) TAXPAYER** The term "taxpayer" means any person subject to any internal revenue tax
- Public Officer in the course of trade/business under 26 USC
- 7701(a) (26)

(26) TRADE OR BUSINESS The term "trade or business" includes the performance of the functions of a public office.

- Person receiving income from the government under 26 USC 7701(a) (9) (10)
- **(9) UNITED STATES** The term "United States" when used in a geographical sense includes only the States and the District of Columbia.
- **(10) STATE** The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.

4 U.S. Code § 72 - Public offices; at seat of Government

All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

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From the desk of First Middle Last

PO Box or Address

City, State [Zip code]

NOTICE OF CONVEYANCE

Notice to Agent is Notice to Principal is Notice to Agent Regarding Social

Security Number: XXXXXXXX—XX-XXXXX Executed on the 11th Day of

December, 2023.

To Whom It May Concern:

I am writing to inform you of a recent legal proper name change. Included is an exemplified copy reflecting the authorized Court Name Decree by the honorable Judge Judges Full Name over the (Put in county where you received your name change) County court case (put in your case number).

I request to have the social security number conveyed and have the public welfare side closed and the life estates conveyed to private individual. Please find the attached exemplified court order name change in support of my election.

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This court ordered name change, with its intent being to also rebut the presumption of death and declare my status "in Full Life" as such your service of administering the estate is no longer needed.

A response of acknowledgement of this document is needed. In your response, please provide a copy of form SSA-89 and instructions for use of the form to open a private bank account.

Please expedite the conveyance from the name FIRST MIDDLE LAST to the proper styled form, First Middle Last per the attached court order.

In addition, please convey ALL assets and securities from FIRST MIDDLE LAST to the proper name First Middle Last.

My account is to reflect the proper name of First Middle Last. Please take special note, that the name is in upper/lower case proper styled name.

_____ First Middle Last

_____ Witness

_____ Witness

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SSA NAME CHANGE

REQUIREMENTS

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTRY OF _____

In the Matter of: Case No: _____

PETTION FOR CHANGE OF

☐ NAME ☐ SEX

Petitioner (Current Name)

I am the Petitioner. I am at least 18 years old or I have been emancipated by court order. I ask the court for a judgement (Check all the apply)

☐ changing any name (Use complete names. First Middle. Last

From: _____

To: _____ // _____ //

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☐ Changing my legal sex

To: ☐ male ☐ female ☐ nonbinary

I have undergone surgical, hormonal or other treatment appropriate to me for the purpose of affording my gender identity.

Public interest (Check all that apply in Oregon or any other state)

For any boxes you mark, explain including the state and case numbers if available

☐ I owe child support arrears or a currently ordered to pay child support

☐ I have a protective order, stalking order restraining order in effect against me

☐ I have currently on probation, parole or under post-prison supervision

☐ I am required to register as a sex offender

☐ I have formerly used the following names (include all names you have used whether loyalty or usual by custom)

☐ I ask that this record be sealed by the court because (Check all that apply)

☐ I am a participant in the address confidentially program under ORS 192.826

☐ I am requesting a change of sex and I want the record to be sealed

Program Operations Manual System (POMS)

Effective Dates: 07/07/2014 - Present

RM 10212.080 Evidence of a Name Change based on a US Issued Court Order Name Change

In most States, a person may apply to a court to legally change his or her name. This includes US adoptions granting a legal name change to the adoptee. When the request is granted, the court issues an order for the name change. Accept as evidence of the name change a US court order for a name change. If the name was changed through an adoption, the adoption decree may not show the child's prior name. The name shown on the adoption decree is the child's legal name.

NOTE: Read the US court document to insure its validity. Use extra caution when reviewing court documents to ensure that the document presented is approved by the court and is not just a petition for a name change or a document issued by an entity other than a U.S. court jurisdiction.

Court orders or decrees issued by a U.S. court jurisdiction are always issued on the court's letterhead (e.g. Superior Court of Los Angeles, Circuit Court of New York) and include at least one of the following:

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have a raised stamp, or affixed seal of the court, statement of the order of decree that it was led with the U.S. court jurisdiction and signed by the clerk of the court; or

RM 10212.015 Evidence Requirements to Process a Name Change on the SSN

C. Evidence of New Name

The new name to be shown on the SSN card is obtained from the name change document, except when the name change is based on the following events:

Name Change Events

Reference

New name based on Marriage, Civil Union, and Domestic Partnership

RM
10212.055B

New name based on Divorce, Dissolution, or Annulment

RM
10212.065B

D. Evidence of Identity

Evidence of Identity in the new name to be shown on the SSN card and in the prior name on the latest Numident record must always be established in order to link the new name to the Numident record and to establish that the person applying for the name change and the number holder are the same person.

The name change document can also serve as an acceptable identity document for a name change if it is not a birth certificate and:

the name change event occurred within the past two years ("If under age 18, within the past 4 years), and the document has the number holder's prior name and biographical information such as age, date of birth, or parents' names which matches the data on the latest Numident record.

Acceptable Name Change Identification

Name Change Document: The name change has the number holder's prior name and biographical information such as age, date of birth, or parents' names which matches the data on the latest Numident Record.

SSA

PRESUMPTION OF DEATH REBUTTAL REQUIREMENTS Corpus Juris

Secundum Section 16, Page 892:

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FACT OF DEATH: Death of the person on whose estate administration is sought is a jurisdiction requisite; and while the presumption of death arising from absence may present a prima facie case sufficient to warrant a grant of administration, yet if it subsequently develops that such person was in fact alive, the administration is void.

While it is true that the presumption of death arising from a person's absence, unheard from, for a considerable length of time, see "Death Section 6", may present a prima facie case sufficient to warrant a grant of administration on his estate, the arising of such presumption does not take the case out of the operation of the general rule on the subject, and if it is made to appear that the person was in fact alive at the time such administration was granted, the administration is absolutely void.

Although, that payment to an administrator of an absentee who is not in fact dead is no defense against the absentee or his legal representative, nor are costs and disbursement incurred by such administrator a legal charge against the absentee or his property; but where the administrator has paid debts of the absentee, he is subrogated to the rights of the creditors whom he has paid. It has been considered, however, that the invalidity of the administration does not relate back, but that it is invalid only the time when the presumption of death is rebutted.

Black's Law 4th_Edition 1968

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CIVILITER MORTUUS. Civilly dead; dead in the view of the law. The condition of one who has lost his civil rights and capacities, and is accounted dead in law. *Rasor v. Rasor*, 173 S.C. 365, 175 S.E.545.

Black's Law 1st_ Edition 1891

CIVIL DEATH. That change in a person's legal and civil condition which deprives him of civic rights and juridical capacities and qualifications, as natural death extinguishes his natural condition. It follows as a consequence of being attainted of treason or felony, in English law, and anciently of entering a monastery or abjuring the realm. The person in this condition is said to be *civiliter mortuus*, civilly dead, or dead in law.

Program Operations Manual System (POMS)

Effective Dates: 08/17/2023 - Present

GN 00304.050 Presumption of Death of a Missing Person

CITATIONS: Soc. Sec. Act as Amended in 1996, Sec. 205(a);

20 CFR §§404.721, 404.722, Social Security Ruling 99-1p

A. Policy for Presumption Of Death Of A Missing Person

b. Establish the date of presumed death on the last day of the 7-year period:

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- If any situation exists other than those listed in GN 00304.050B.6. a. in this section, establish the date of death as the last day of the 7-year period beginning with the date of disappearance. For example, if John were missing as of August 07, 1990, we would establish their date of death as August 07, 1997.
- If only the fact of death is material, presume the date of death to be the last day of the 7-year period.

NOTE: If facts permit, you can establish a date of presumed death after the 7- year period but in no case earlier than the last day of the 7-year period beginning with the date of disappearance.

Take the following actions to obtain evidence to establish presumption of death:

1. Search for an active earnings record for the missing person.
 - a. Determine whether the missing person has applied for a Social Security number (SSN), or has had wages or self-employment income (SEI) reported after their disappearance.
 - b. Develop fully to establish whether wages or SEI posted after their disappearance were the missing person's or if they were for work done prior to the disappearance.

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2. Attempt to contact the missing person.

a. Try to contact the missing person by contacting the most recent employer listed on the Detail Earnings Query (DEQY). To request and read the DEQY follow the instruction in MSOM QUERIES 003.005.

b. Try to contact the missing person at the address shown on Form W-2 by obtaining a microprint copy of Form W-2 (Wage and Tax Statement) as instructed in RM 03870.030.

c. Try to contact the missing person at the address shown on the ss-5 (Application for a Social Security Card), (if the missing person applied for an SSN after their disappearance) by obtaining a microprint of the ss-5.

d. If the missing person is found and contacted, there can be no presumption of death. After the missing person is found alive, follow the instructions in GN 00304.0508.8., in this section.

3. Complete an SSA-723-F4 (Statement Regarding the Inferred Death of an Individual by Reason of Continued and Unexplained Absence).

a. Document statements on form SSA-723-F4 from at least three people who knew the missing person and the facts surrounding the disappearance.

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NOTE: While three people who knew the missing person should be available in the vast majority of situations, there may be instances where only one or two people are available to complete form SSA-723- F4. If you cannot find three people, who knew the missing person and the missing person is presumed to be dead, include an explanation in the special determination of actions taken to try to locate three people.

b. Include the spouse and claimant and any close family members with whom the missing person would be likely to communicate.

4. Obtain a physical description of the missing person:

a. Ask the claimant or spouse to provide a physical description of the missing person.

b. Ask the claimant or spouse for the most recent photograph of the missing person available. Show this photograph to former employers and other contacts to determine whether the number holder (NH) is actually deceased.

5. Obtain a finding of the missing person's death by a court:

a. Get the decree or a certified copy of any declaration of death by a court of competent jurisdiction (i.e. a court with the power to decide a case or issue a decree

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such as a state court's finding that an individual is presumed dead) and a statement of the facts used in the finding.

b. **IMPORTANT:** Give the court's declaration of death based on a presumption great weight depending on the supporting evidence, but is not controlling. The number holder may not be presumed dead for purposes of Social Security until they have been missing for 7 years and the presumption of death is not rebutted as instructed in GN 00304.050A.1., In this section.

6. Determine a date of presumed death.

If you are unable to establish that the missing person is alive or obtain evidence that accounts for their absence in a manner consistent with continued life rather than death, determine that the missing person is dead. You should:

a. Establish the date of presumed death on or near the date of disappearance. When material, establish the date of death at or near the date of disappearance if the facts of the case fit into any of the following situations:

- The missing person encountered some specific peril at or about the time of disappearance.
- The missing person was suicidal.

b. Establish the date of presumed death on the last day of the 7-year period:

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- If any situation exists other than those listed in GN 00304.060B.6. a. In this section, establish the date of death as the last day of the 7-year period beginning with the date of disappearance. For example, If John were missing as of August 07, 1990, we would establish their date of death as August 07, 1997.
- If only the fact of death is material, presume the date of death to be the last day of the 7-year period. NOTE: If facts permit, you can establish a date of presumed death after the 7-year period but in no case earlier than the last day of the 7-year period beginning with the date of disappearance.

7. Take the following actions If the missing person Is found alive:

- . Disallow the claim.
- . Tell the missing person that an applicant led a claim for benefits and that proper disposition of the claim requires that we exceptional circumstances.

NOTE: For instructions on disclosing information about missing persons, refer to GN 03315.020.

8. Prepare a special determination

- a. Prepare a special determination to support the agency's conclusions with regard to the disappearance of the missing person.

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b. Document the decision on report of contact (RPOC) on the modernized claims system (MCS) screens or on form SSA-553 (Special Determination). Send SSA-553 to the payment center (PC) paperless fax number for filing.

When using evidentiary documents in a special determination to support the presumption of death determination, follow instructions in GN 01010.360. For electronic evidence documentation and retention when proof of death is involved, refer to instructions in GN 00301.286C.4.

All they need is a certified report to presume

§ 404.721 Evidence to presume a person is dead

If you cannot prove the person is dead but evidence of death is needed, we will presume he or she died at a certain time if you give us the following evidence:

(a) A certified copy of, or extract from, an official report or finding by an agency or department of the United States that a missing person is presumed to be dead as set out in Federal law (5 U.S.C. 5565). Unless we have other evidence showing an actual date of death, we will use the date he or she was reported missing as the date of death.

(b) Signed statements by those in a position to know and other records which show that the person has been absent from his or her residence and has not been heard

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from for at least 7 years. If the presumption of death is not rebutted pursuant to § 404.722, we will use as the person's date of death either the date he or she left home, the date ending the 7-year period, or some other date depending upon what the evidence shows is the most likely date of death.

(c) If you are applying for benefits as the insured person's grandchild or step grandchild but the evidence does not identify a parent, we will presume the parent died in the first month in which the insured person became entitled to benefits.

When employee has been missing ...

5 U.S. Code § 5565 - Agency review

(a) When an employee has been in a missing status almost 12 months and no official report of his death or the circumstances of his continued absence has been received by the head of the agency concerned, he shall have the case fully reviewed. After that review and the end of 12 months in a missing status, or after any later review which shall be made when warranted by information received or other circumstances, the head of the agency concerned or his designee may-

(1) direct the continuance of his missing status, if there is a reasonable presumption that the employee is alive; or

(2) make a finding of death.

1. Requirements for presumption

- a. A presumption of death arises when the evidence establishes that the missing person has been absent from their residence and has not been heard from for 7 years.
- b. The presumption arises without regard to the reason for the absence.

2. Requirements for rebuttal of presumption

- a. Once the presumption arises, the worker can rebut only if SSA proves the individual is alive or provides an explanation to account for the individual's absence in a manner consistent with continued life rather than death.
- b. The fact that there was financial or marital difficulty or mental instability prior to the disappearance is not sufficient by itself to rebut the presumption.
- c. Deny the claim if, in the judgment of the adjudicator, the evidence rebuts the presumption of death.

3. Examples of situations that rebut the presumption of death

Example 1

Evidence in a claim for surviving child's benefits showed that the worker had wages posted to their earnings record in the year following the disappearance. The worker established that the wages belonged to them and were for work done after their "disappearance." In this situation, the worker rebutted the presumption of death by evidence (wages belonging to the worker) that the person is still alive after the disappearance.

Example 2

Evidence shows that the worker left the family home shortly after a woman, whom they had been seeing, also disappeared, and that the worker phoned their spouse several days after the disappearance to state they intended to begin a new life in California. In this situation, the worker rebutted the presumption of death because the evidence explains the worker's absence in a manner consistent with continued life.

4. Example of a situation that does not rebut the presumption of death

Evidence shows that a person has been missing and not heard from for over 7 years.

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We did not post any earnings to their record during that time. The spouse les a survivor claim. They state that they were having marital and financial problems at the time of the disappearance. The existence of those problems does not rebut the presumption of death. Therefore, in this case, death is presumed and we might allow a survivors and lump sum death payment claim if the applicant met all other factors of entitlement.

6. Determine a date of presumed death.

If you are unable to establish that the missing person is alive or obtain evidence that accounts for their absence in a manner consistent with continued life rather than death, determine that the missing person is dead. You should:

a. Establish the date of presumed death on or near the date of disappearance. When material, establish the date of death at or near the date of disappearance if the facts of the case fit into any of the following situations:

- The missing person encountered some specific peril at or about the time of disappearance.
- The missing person was suicidal.
- The missing person was in such a poor state of health and was so destitute that survival was improbable for any length of time after the disappearance.
- The missing person was attentive to domestic duties, had a home to which they were

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attached. and suddenly, without explanation disappeared.

b. Establish the date of presumed death on the last day of the 7-year period:

- If any situation exists other than those listed in GN 00304.0508.6.a. in this section. establish the date of death as the last day of the 7-year period beginning with the date of disappearance. For example. if John were missing as of August 07, 1990, we would establish their date of death as August 07, 1997.
- If only the fact of death is material, presume the date of death to be the last day of the 7-year period.

Note: If facts permit. you can establish a date of presumed death after the 7-year period but in no case earlier than the last day of the 7-year period beginning with the date of disappearance.

7. Take the following actions if the missing person is found alive:

§ 72.5 Final report of death.

a. Preparation. Except in the case of the death of an active duty member of the United States Armed Forces, when there is a local death certificate or finding of death by a competent local authority, the consular officer should prepare a consular report of death ("CROD") on the form prescribed by the Department. The CROD will list the cause of death that is specified on the local death certificate or finding of death. The

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consular officer must prepare an original Report of Death, which will be filed with the Vital Records Section of Passport Services at the Department of State. The consular officer will provide a certified copy of the Report of Death to the next of kin or other person with a valid need for the Report within six months of the time of death. The next of kin or other person with a valid need for the Report may obtain additional certified copies after six months by contacting the Department of State, Vital Records, Passport Services,
1111 19th St., NW., Rm. 510, Washington, DC 20036

22 CFR § 72.6 - Report of presumptive death.

- § 72.6 Report of presumptive death.
- (a) Local finding. When there is a local finding of presumptive death by a competent local authority, a consular officer should prepare a consular report of presumptive death on the form prescribed by the Department.

TITLE 5 -GOVERNMENT ORGANIZATION AND EMPLOYEES

HISTORICAL AND REVISION NOTES- CONTINUED 1966 ACT

Only that portion of the source law which is applicable to civilian officers and employees and their dependents is codified in this section.

In subsection (a), the words "Beginning June 25, 1950, and are omitted as executed. The words "not to exceed are omitted as unnecessary. The words "outside the United States, or in Alaska or Hawaii" are substituted for outside the continental limits of the United States or in Alaska".

In subsection (b), the words "Transportation, may be provided are substituted for 'may be moved". The words "an employee, for more than 28 days in a status listed in section 5561(5)(A) -(E) of this title" are substituted for "person for a period of thirty days or more in any status listed in section 2 of this Act for clarity and to conform to the designations in section 5561(2) and (5). In paragraph (1), the words "the employee are substituted for "any such person'. In paragraph (3), the words "head of the agency concerned or his designee are substituted for "head of the department concerned or by such person as he may designate.

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In subsection (c), the word "employee" i.e. substituted for "person". The words "transportation may be provided under this section only when" are substituted for "movement provided for herein may be authorized only in cases where". In subsection (d) the words "on request of a depend codified in this section. That portion of the source law applicable to members of the uniformed services and their dependents is codified in 37 U.S.C. 55(a) by section 5(2) of this bill.

Editorial Notes

REFERENCES IN TEXT

Section 507 of title 14. referred to in subsec. (iX2). was predesignated motion 2710 of title 14 by Pub L . 115-232, title 1. §116(b)(2). Dec. 4. 2018. 132 Stat. 422. And references to section 507 of title 14 deemed to refer to such predesignated section. See section 123(b) (1) of Pub. L . 115-282. set out as a References to Sections of Title 14 ss predesignated by Pub. L . 115-282 note proceeding section 101 of Title 14. Coast Guard.

AMENDMENTS

1996-Subsec. (i) (1). Pub. L . 104-316 substituted "Administrator of General Services" for "General Accounting Office wherever appearing. 1991-Subsec. (i)(1) Pub. L . 102-190 substituted "6522. or 9712" for "4713. 6522, 9712, or 9713".

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5 U.S. Code § 5565 - Agency review

(a) When an employee has been in a missing status almost 12 months and no official report of his death or the circumstances of his continued absence has been received by the head of the agency concerned, he shall have the case fully reviewed. After that review and the end of 12 months in a missing status, or after any later review which shall be made when warranted by information received or other circumstances, the head of the agency concerned or his designee may-

(1) direct the continuance of his missing status, if there is a reasonable presumption that the employee is alive; or

(2) make a finding of death.

(b) When a finding of death is made under subsection (a) of this section, it shall include the date death is presumed to have occurred for the purpose of the ending of crediting pay and allowances and settlement of accounts. That date is—

(1) the day after the day on which the 12 months in a missing status ends; or

(2) a day determined by the head of the agency concerned or his designee when the missing status has been continued under subsection (a) of this section.

Appendix I. U.S. Standard, certificate of Death

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Form link: https://www.cdc.gov/nchs/data/dvs/death11-03_nal-acc.pdf

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICE

Centers for Disease Control and Prevention

National Center for Health Statistics

Instructions for Completing the Cause-of-Death Section of the Death Certificate

Accurate cause of death information is important

- To the public health community in evaluating and improving the health of an citizens and
- often to the family, now and in the future, and to the person settling the decedent's estate.

The cause of death section consists of two parts. Part I is for reporting a chain of events leading directly to death with the immediate cause of death (the final disease, injury or complication directly causing death) on line A and the underlying cause of death (the diseases or injury that initiated the chain of morbid events that led directly and inevitably to death) on the lowest used line. Part II is for reposting all other significant diseases, conditions or injuries that contribute to death but which did not result in the underlying cause of death given in part I. The cause of death information should be Your best medical opinion. A condition can be listed as probable even if has not been definitively diagnosed.

ITEM 32-CAUSE OF DEATH

Take care to make the entry legible. Use a computer printer with high resolution, typewriter with good black ribbon and clean keys, or print legibly using permanent black ink in completing the cause-of-death section. Do not abbreviate conditions entered in section.

Part I (Chain of events leading directly to death)

- Only one cause should be entered on each line. Line a **MUST ALWAYS** have an entry. **DO NOT** leave blank. Additional lines may be added if necessary.
- If the condition on Line A resulted from an underlying condition, put the underlying condition on Line B and so on until the full sequence is reported. **ALWAYS** enter the underlying cause of death on the lowest used line in Part I.
- For each cause indicate the best estimate of the interval between the presumed onset and the date of death. The terms "unknown" or "approximately" may be used. General terms, such as minutes, hours, or days, are acceptable, if necessary. **DO NOT** leave blank.

45. CERTIFIER (Check only one):

- Certifying Physician-To the best of my knowledge, death occurred due to the cause(s) and manner stated.
- Pronouncing & Certifying Physician-To the best of my knowledge, death

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occurred at the time, date, and place, and due to the cause(s) and manner stated.

- Medical Examiner/Coroner-On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner stated.

NOTE: This figure represents a typical electronic death registration system based on the 2023 U.S Standard certificate of death.

SOURCE: National Center for Health Statistics. National Vital Statistics System, Morality.

The certifying physician is the person who determines the cause of death (item 32). This option should be selected only in cases when the person who completed the medical certification of cause of death is not the person who pronounced death (items 24 and 25). The certifying physician is responsible for completing items 32-49.

"Pronouncing & Certifying Physician" should be selected when the same person is responsible for completing items 24-49 (when the same physician has both pronounced death and certified the cause of death). If this option is selected, items 26-28 should be left blank.

"Medical Examiner/Coroner" should be selected when an investigation is

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required by law or regulation. The medical examiner or coroner is then responsible for completing items 24-46.

If the attending physician is available to certify the fact of death, items 26-28 should not be completed; the attending physician should complete items 24, 25, 29-37, and 45-49 as both the pronouncing and certifying physician.

2003 Medical Examiners' and Coroners Handbook of Death Registration and Fetal Death Reporting

U.S. Standard Certificates and Reports

The registration of deaths and fetal deaths is a State function supported by individual State laws and regulations. The original certificates are filed in the States and stored in accordance with State practice. Each State has a contract with NCHS that allows the Federal Government to use information from the State records to produce national vital statistics. The national data program is called the National Vital Statistics System (NVSS) (3.4).

Stakeholders Claim in our Death Registration

To ensure consistency in the NVSS, NCHS provides leadership and coordination in the development of a standard certificate of death for the States to use as a model. The standard certificate is revised periodically to

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ensure that the data collected relate to current and anticipated needs. In the revision process, stakeholders review and evaluate each item on the standard certificate for its registration, legal, genealogical, statistical, medical, and research value. The associations on the stakeholder panel that recommended the current U.S. Standard Certificate of Death included the American Medical Association, the National Association of Medical Examiners, the College of American Pathologists, and the American Hospital Association (3). For the U.S. Standard Report of Fetal Death, the associations included the American Academy of Pediatrics, American College of Obstetricians and Gynecologists, Association of State and Territorial Health Officers (Maternal and Child Health Affiliate).

American Medical Association, and American College of Nurse Midwives (3). Most State certificates conform closely in content and arrangement to the standard. Minor modifications are sometimes necessary to comply with State laws or regulations or to meet specific information needs. Having similar forms promotes uniformity of data and comparable national statistics. They also allow the comparison of individual State data with national data and data from other States. Uniformity of death certificates among the States also increases their acceptability as legal records.

CDC Standard Birth/Death Manual

14. "Registration" means the process by which vital statistic records are completed, led, and incorporated by the division in the division's of official records.

15. "State registrar" means the state registrar of vital statistics.

16. "System of vital statistics" includes the registration, collection, preservation, amendment, and certification of vital statistics records, and activities and records related thereto including the data processing, analysis, and publication of statistical data derived from such records.

17. "Vital statistics" means records of births, deaths, fetal deaths, adoptions, marriages, dissolutions, annulments, and data related thereto.

[C24, 27, 31, 35, 39, §2317, 2384; C46, 50, 54, 58, 62, 66, §141.1, 144.1; C71, 73, 75, 77, 79, 81, §144.1] 83 Acts, ch 101,

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§21; 97 Acts, ch 159, §7; 99 Acts, ch 141, §14, 15; 2000 Acts, ch 1148, §1; 2002 Acts, ch 1119, §200, 201; 2020 Acts, ch 025, §1

Referred to in §252A2, 7141.2

144.2 Division of records and statistics.

There is established in the department a division for records and statistics which shall install, maintain, and operate the system of vital statistics throughout the state. No system for the registration of births, deaths, fetal deaths, adoptions, marriages, dissolutions, and annulments, shall be maintained in the state or any of its political subdivisions other than the one provided for in this chapter. Suitable quarters shall be provided for the division by the

Hospitals and Physicians Handbook on Birth Registration and Fetal Death Reporting

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Public Health Service

National Center for Health Statistics

Hyattsville, Maryland

October 1987

This handbook is prepared by the National Center for Health Statistics, U.S. Public Health Service, Department of Health and Human Services, and contains instructions for physicians, hospital personnel, and others with responsibilities for completing and filing records of birth and fetal death. It pertains to the 1989 revisions of the U.S. Standard Certificate of Live Birth and U.S. Standard Report of fetal Death and the 1977 revision of the Model State Vital Statistics Act and Regulations. This handbook is intended to serve as a model for adaptation by any vital statistics registration area.

Other handbooks available as references on preparing and registering vital records are:

- Medical Examiners' and Coroners' Handbook on Death Reporting and Fetal Death Reporting
- Physicians' Handbook on Medical Certification of Death.
- Funeral Directors' Handbook on Death Registration and Fetal Death Reporting
- Guidelines for Reporting Occupation and Industry on Death Certificates

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- Handbook on the Reporting of Induced Termination of Pregnancy
- Handbook on Marriage Registration
- Handbook on Divorce Registration

Confidentiality of vital records

To encourage appropriate access to vital records. NCHS promotes the development of model vital statistics laws concerning confidentiality (1). State laws and supporting regulations define which persons have authorized access to vital records. Some States have few restrictions on access to death certificates. However, there are restrictions on access to death certificates in the majority of States. Legal safeguards to the confidentiality of vital records have been strengthened over time in some States.

The fetal death report is designed primarily to collect information for statistical and research purposes. In many States these records are not maintained in the official files of the State health department. Most States never issue certified copies of these records; the other States issue certified copies very rarely.

Responsibility of the medical examiner or coroner

Death registration

The principal responsibility of the medical examiner or coroner in death

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registration is to complete the medical part of the death certificate.

In Full Life: Continuing in both physical and civil existence; that is, neither actually dead nor civiliter mortuus.

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On this Day of 12th, Month , YYYY

Created on the desk of First Middle Last PO Box/Address

City, State [XXXXXX]

Declaration in Full Life

I am, first middle, who by my Father and Mother having called i am, First Middle, Last, in full life.

Born from the womb, and out of the water, to an earthly mother who's heavenly calling was, [mothers proper name First Middle Last], and an earthly Father who's heavenly calling on this earth was [fathers proper name First Middle Last].

Having taken the Creator, YHWH's, first breath of life, to become a living soul, at [time am/pm], [11th Day of Month, 1968] A .D. Gregorian.

I am, hereby and for forever, affirming this Declaration, that I am, proper styled as First Middle Last and I am, in Full Life, a living soul and sovereign king of YHWH, God the creator of life. And that, I am, in full life, until I am, placed in the soil of this earth, by my heirs and beneficiaries of my earthly estate, and that I am, until such time forever being released from my earthly body.

In witness _____

In witness _____

Party to a contract with the state under

26 CFR 31.3402(p)-1

- **Withholding:** The term withholding means the deduction and withholding of tax at the applicable rate from the payment.
- **Chapter 4 IRC Sec 1.14716** defines classes of beneficial owners that are exempt from withholding under 1.14721
- **employee:** The term employee includes every individual performing services if the relationship between him and the person for whom he performs such services is the legal relationship of employer and employee. The term includes officers and employees, whether elected or appointed, of the United States, a State, territory, Puerto Rico, or a political subdivision thereof, or the District of Columbia, or any agency instrumentality of any one or more of the foregoing.

Program Operations Manual System (POMS)

Effective Dates: 09/09/2022 - Present

SI DEN01140.uo Life Estates

See SI 01140.110

A. Definition

1. A life estate is an ownership interest in real property. The right of ownership exists for the lifetime of an individual or individuals. Upon the death of the individual(s) the ownership passes to the "remainderman." The owner(s) of a life estate is called a "life tenant" or "tenant for life." An individual who merely has the right to use property. e.g., an adult child promises a parent the right to live in a home for the rest of the parent's life. does not have an ownership interest One distinguishing factor is that a life estate may be sold or otherwise transferred. Permissive use. however, would not be a legally transferable right, i.e., the parent may not sell the parent's permissive right to live in the home to a third party.

2. An individual may receive a life estate interest through a deed or grant, through an oral agreement or State law. In most instances, however, the individual cannot pass the life estate interest on to the individual's heirs.

B. Development/Documentation

1. Conveyance through a deed or grant

a. In most cases a life estate can only be conveyed by deed or other grant. It is immaterial whether the life tenant transfers the property and reserves a life

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estate or whether the life estate is granted to the tenant by a third party. Accept without further development any document presented by the claimant which:

(1) Is a deed or uses the language of a deed; (2) Specifically grants a life estate; and

(3) Is recorded with the registrar of deed or other proper authority.

b. If a life estate is alleged but the document does not conform to all the criteria listed above, submit the case to the ARC, Programs for a review by the staff and/or the Office of Chief Counsel.

2. Conveyance through an oral transaction

Oral transactions ordinarily are not recognized as establishing a life estate; however, there are some exceptions. If a life estate is alleged and the allegation appears to be supported by other evidence, submit the case as in SI DEN01140.110b. 1, step b.

3. Conveyance Through State law

SI 01130.700: Identifying Excluded Funds That Have Been Commingled with Non-excluded Funds

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SI 01130.735: Payments for Clinical Trial Participation

SI 01130.736: Payments to Victims from a State Eugenics Compensation Program

SI 01130.740: Achieving a Better Life Experience (ABLE) Accounts

SI 01140: Types of Countable Resources

SI 01140.001: Countable Resources

SI 01140.010: Resource Verification Requirements

SI 01140.022: High/Low Development Option for Liquid Resources

SI 01140.030: Ownership Resources

SI 01140.042: Determining Equity Value SI 01140.044: Resources with Zero

Value SI 01140.100: Non-Home Real Property

SI DAL01140.100: Foreign Property - Ejidos in Mexico (RTN 3 08/2009)

SI 01140.102: Exhibit: Form SSA-L2794 (Real Property Current Market Value

Estimate) (8-89)

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SI 01140.110: Other Property Rights

SI CHI01140.110: Wisconsin Oral Life Estates

SI DEN01140.110: Life Estates

SI 01140.120: Life Estate and Remainder Interest Tables

SI 01140.150: Qualified Tuition Programs (QTPs) SI 01140.200: Checking
and Savings Accounts

SI 01140.205: Joint Checking and Savings Accounts

SI BOS01140.205: Joint Checking and Savings Accounts

**SI 01140.208: Evaluating Virtual Currencies and Other Digital Tokens
for SSI Resource**

Determinations

Time Deposits

31 CFR § 901.3 - Collection by administrative offset.

(<https://www.law.comell.edu/cfr/text/31/901.3>)

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When the name and TIN of a debtor match the name and TIN of a payee and all other requirements for offset have been met, the payment will be offset to satisfy the debt. (3) Federal disbursing officials will notify the debtor/payee in writing that an offset has occurred to satisfy, in part or in full, a past due, legally enforceable delinquent debt.

merger

In general, a merger is the act of uniting separate things. Specifically -

1. In corporate law, a merger is the absorption of one corporation into another. The surviving corporation acquires all the assets and liabilities of the corporation getting absorbed. The joining of noncorporate entities such as associations may sometimes be called a merger as well.

2. In civil procedure, the doctrine of merger is the principle that a final judgment for the plaintiff brings together all parties claims involved in the lawsuit. As a result, the plaintiff can only enforce the judgment awarded and cannot bring any of the claims again regardless of whether the award seems too small or the plaintiff has a new legal theory. Likewise, the defendant cannot bring any new counterclaims or defenses. This effect of a final judgment is called merger.

3. In criminal law, merger of offenses is the absorption of a lesser included offense into a more serious offense if a defendant is charged with both. Under the merger

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doctrine, if the lesser offense was required to commit the more serious offense, then the prosecution can merge the offenses and prosecute them together. The purpose of merger in criminal cases is efficiency and the avoidance of double jeopardy. See merger doctrine.

4. In property law, the rule of merger is the absorption of a lesser estate (e.g., lease of land) into a greater estate (e.g., fee simple ownership of the same land) when both estates are successive and become vested property of the same person.

5. In property law, a trust merger is when the sole trustee and the sole beneficiary of a trust are the same person or institution, ending the trust.

6. In property law, when an individual owns both an easement and the servient estate, the merger of estates (merger of easement or merger of tenements) destroys the easement. All owners of both the easement and the servient estate must be the same. Thus, in a common easement or a joint tenancy, all owners of both properties must be the same to extinguish the easement.

7. In contract law, a merger clause, or integration clause, absorbs an inferior form of contract into a superior form of contract on the same subject matter, making the final written contract complete and binding. Thus, an oral agreement discussing some business deal merges into the final written agreement on the same deal; any terms of the oral agreement usually cannot be enforced if contrary to the terms of the written

agreement. See Integration.

8. In contract law, the merger of contract and deed means any term or obligation in a land purchase contract is reflected in the deed which is then accepted by the buyer. Merger of contract and deed prevents discrepancies over the terms of a contract because the deed confirms the contract.

42 U.S. Code § 3505 - Seal

The Secretary of the Department of Health and Human Services is authorized to adopt an official seal to be used as directed by the said Secretary on appropriate occasions in connection with the functions of such Department or of any office, bureau, board, or establishment which is or shall hereafter become a part of such Department, and such seal shall be judicially noticed. Copies of any books, records, papers, or other documents in the Department of Health and Human Services shall be admitted in evidence equally with the originals thereof when authenticated under such seal. (May 9, 1941, Ch. 97, 55 Stat. 184; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Pub. L. 96-88, title V, 5509(b), Oct. 17, 1979, 93 Stat. 695.)

An important function of the state's office is to issue certified copies of the certificates to people who need them and to verify the facts of birth and death for agencies requiring legal evidence of such facts.

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The Centers for Disease Control and Prevention's National Center for Health Statistics has the authority to administer the vital statistics functions at the national level (3). Electronic data files derived from individual records registered in state offices or, in a few cases, copies of the individual records themselves, are transmitted to the National Center for Health Statistics. From these data, quarterly, annual, and special statistical reports are prepared for the United States as a whole and for component parts-cities, counties, states, and regions-by various characteristics such as sex, race and ethnicity, and cause of death.

INDIVIDUAL. As a noun, this term denotes a single person as distinguished from a group or class, and also, very commonly, a private or natural person as distinguished from a partnership, corporation, or association; but it is said that this restrictive signification is not necessarily inherent in the word, and that it may, in proper cases, include artificial persons. *State v. Bell Telephone Co.*, 36 Ohio St. 310, 38 Am.Rep. 583.

PERSEQUI. Lat. In the civil law. To follow after; to pursue or claim in form of law. An action is called a "jus persequendi."

PERSON. A man considered according to the rank he holds in society, with all the rights to which the place he holds entitles him, and the duties which it imposes. 1

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Bouv. Inst. no. 137.

A human being considered as capable of having rights and of being charged with duties; while a "thing" is the object over which rights may be exercised.

Persons are divided by law into natural and artificial. Natural persons are such as the God of nature formed us; artificial are such as are created and devised by human laws, for the purposes of society and government, which are called "corporations" or "bodies politic." 1 Bl. Comm. 123.

Form Link: <https://www.irs.gov/pub/irs-pdf/f56f.pdf>

12 CFR § 1808.600 - Full faith and credit and incontestability of Guarantee.

The full faith and credit of the Federal Government is pledged to the payment of all Bonds issued as part of a Bond Issue with respect to Verifiable Losses of Principal, Interest, and Call Premium. An executed Guarantee shall be conclusive evidence that: The Guarantee has been properly authorized; the underlying Bond qualified for such Guarantee; and, but for fraud or material misrepresentation, such Guarantee will be presumed to be legally valid, binding, and enforceable.

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(d) Agreement to Guarantee means the written agreement between the Guarantor and the Qualified Issuer which sets forth the terms and conditions on which the Guarantor will provide the Guarantee;

(e) Appropriate Federal Banking Agency has the same meaning as in section 3 of the Federal Deposit Insurance Act, 12 U.S.C. 1813(q), and includes, with respect to an Insured Credit Union (as such term is defined in 12 CFR 1805.104(bb)), the National Credit Union Administration;

(f) Appropriate State Agency means an agency or instrumentality of a State that regulates and/or insures the member accounts of a State- Insured Credit Union (as such term is defined in 12 CFR 1805.104));

(g) Bond means a security in the form of a draw-down bond or note issued by the Qualified Issuer, with each advance of funds thereunder bearing interest at an applicable Bond Rate established by the Bond Purchaser in accordance with section 1808.300 of this part, and sold to the Bond Purchaser, the proceeds of which will be used for Eligible Purposes, and which benefit from a Guarantee:

(h) Bond Documents mean, for each Bond, the respective Bond, Bond Trust Indenture, Agreement to Guarantee, Bond purchase agreement, and all

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other instruments and documentation pertaining to the issuance of the Bond;

(i) Bond Issuance Fees mean amounts paid by an Eligible CDFI for reasonable and appropriate expenses, administrative costs, and fees for services incurred in connection with the issuance of the Bond (but not including the Agency Administrative Fee) and the making of the Bond Loan;

(j) Bond Issue means at least \$100,000,000, and no more than \$1,000,000,000, in aggregate principal amount of Bonds secured by a single Guarantee; each Bond (or series of Bonds) in the Bond Issue being in the minimum principal amount of at least \$10,000,000;

(k) Bond Issue Date means the date on which the Bond is deemed to be issued or originated;

(l) Bond Loan means a loan of Bond Proceeds by a Qualified Issuer to an Eligible CDFI. A Bond Loan must be in an initial principal

(cc) Guarantee means the guarantee by the Guarantor, pursuant to an Agreement to Guarantee, of the repayment of 100 percent of the Verifiable Losses of Principal, Interest, and Call Premium, if any, on the corresponding Bonds issued as part of a Bond Issue; each Guarantee shall be for a Bond Issue of at least \$100,000,000, plus the related interest and call premiums;

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(dd) Guarantee Application means the application document that a Qualified Issuer submits in order to apply for a Guarantee;

(ee) Guarantor means the Secretary of the Treasury or the Secretary's designee;

(ff) Investment Area means a geographic area meeting the requirements of 12 CFR 1805.201(b)(3)(ii);

(gg) Loan Loss Reserves means the use of Bond Loan proceeds (secured by a Principal Loss Collateral Provision) for a set aside in the form of cash reserves that serve as a safeguard to protect the Eligible CDFI against

(aaa) State means any of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Island, Guam, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands, and any other territory of the United States;

(bbb) Statement of Proposed Sources and Uses of Funds means the component of the Guarantee Application that describes the proposed uses of Bond Proceeds and the proposed sources of funds to repay principal and interest on the Bonds and the Bond Loans:

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(ccc) Targeted Population means individuals or an identifiable group of individuals who are Low-Income persons or lack adequate access to Financial Products or Financial Services and meet the requirements of 12 CFR 1805.201 (b) (3)(iii)

(ddd) Trust Estate means the Bond Loan agreement and promissory notes evidencing the Bond Loan, all funds and accounts related to the Bonds and held by the Master Servicer/Trustee pursuant to the Bond Trust Indenture including but not limited to the Revenue Accounts and the Relending Accounts (as such terms are defined in subsection 1808.606(f)), and any additional collateral pledged directly by the Eligible CDFI;

The National Archives and Records Administration (NARA) is an independent agency of the United States government within the executive branch, charged with the preservation and documentation of government and historical records. It is also tasked with increasing public access to those documents that make up the National Archives ISI NARA is officially responsible for maintaining and publishing the legally authentic and authoritative copies of acts of Congress, presidential directives, and federal regulations. NARA also transmits votes of the Electoral College to Congress. It also examines Electoral College and constitutional amendment ratification documents for prima facie legal sufficiency and an authenticating signature.

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The National Archives, and its publicly exhibited Charters of Freedom, which include the original United States Declaration of Independence, United States Constitution, United States Bill of Rights, and many other historical documents, is headquartered in the National Archives Building in Washington, D.C.

Organization

Main article: [Organization of the National Archives and Records Administration](#)

The mission of the National Archives is We drive openness, cultivate public participation, and strengthen our nation's democracy through equitable public access to high-value government records.

The work of the National Archives is dedicated to two main functions: public engagement and federal records and information management. The National Archives administers 15 Presidential Libraries and Museums, a museum in Washington, DC. that displays the Charters of Freedom, and 15 research facilities across the country. The agency's online catalog makes available over 160 million records ranging from before the start of the republic to the modern government, However, the digitized records represent only a small fraction of the over 13 billion pages in the holdings of the National Archives.

The National Archives governs federal records and information policy for the

executive branch and

CHAPTER 7- ABSENCE FOR SEVEN YEARS

Sec.

14-701. Presumption of death

14-702. Person presumed dead found living

PUBLIC LAW-88-241-DEC. 23, 1963

§ 14-701. Presumption of death

If a person leaves his domicile without a known intention of changing it, and does not return or is not heard from for seven years from the time of

his so leaving, he shall be presumed to be dead in any case where his death is in question, unless proof is made that he was alive within that time.

§ 814-702. Person presumed dead found living

If the person presumed to be dead pursuant to section 14-701 is found to be living, a

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person injured by the presumption shall be re-stored to the rights of which he was deprived by reason of the presumption.

20 CFR § 404.722 - Rebuttal of a presumption of death.

A presumption of death made based on § 404.721(b) can be rebutted by evidence that establishes that the person is still alive or explains the individual's absence in a manner consistent with continued life rather than death.

EXAMPLE 1:

Evidence in a claim for surviving child's benefits showed that the worker had wages posted to his earnings record in the year following the disappearance. It was established that the wages belonged to the worker and were for work done after his "disappearance." In this situation, the presumption of death is rebutted by evidence (wages belonging to the worker) that the person is still alive after the disappearance.

EXAMPLE 2:

Evidence shows that the worker left the family home shortly after a woman, whom he had been seeing, also disappeared, and that the worker phoned his wife several days after the disappearance to state he intended to begin a new life in California. In this situation the presumption of death is rebutted

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because the evidence explains the worker's absence in a manner consistent with continued life.

[60 FR 19165. Apr. 17, 1995]

20 CFR § 404,722 - Rebuttal of a presumption of death. | Electronic Code of Federal Regulations (e-CFR)

US Law | LII/ Legal Information

Institute (cornell.edu)

Evidence.

b. Evidence. Evidence about your adaptive functioning may come from: (i) Medical sources, including their clinical observations;

(ii) Standardized tests of adaptive functioning (see 12.00H3c);

(iii) Third party information, such as a report of your functioning from a family member or friend;

(iv) School records, if you were in school recently; (v) Reports from employers or supervisors; and

vi) Your own statements about how you handle all of your daily activities.

Sec. 73. Powers of Courts over Legislative Bodies Generally

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See also Sec. 15, Failure of a House of the Legislature to Conform to Its Rules

Does Not Invalidate Its Acts.

1. The people of each state are vested with sovereign authority, expressed by their elected representatives serving in a legislature. Thus, legislative power is absolute and unlimited except as restrained by constitution.

About Chancery Court

440 George Fraley Parkway Box 4, Winchester, TN 37398

Phone: (931) 967-2843 Fax: (931) 968-2425

Email: chancerycourt@franklincotn.us

Franklin County Chancery Court is in the 12th Judicial District which consists of six counties: Franklin, Marion, Grundy, Bledsoe, Rhea, and Sequatchie. The Chancellor for our Judicial District is Melissa Thomas Willis.

Chancery Court is a Court of equity, having concurrent jurisdiction with Circuit Court in actions such as divorces and civil cases, excluding unliquidated damages. Jury trials are not a common occurrence in Chancery Court, but are conducted when demanded. We also collect delinquent property taxes and conduct delinquent tax sales.

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The Clerk and Master and Deputy Clerks in Chancery Court strive to assist the legal community and the general public in a courteous, timely, and efficient manner. By law Clerks are not allowed to give legal advice regarding specific circumstances, but will do their best to generally explain the court process and procedures.

42.1 Life Record

A Life Record is any valid and duly authorized record, recognizing the commencement of a term, award, patent, tenure, existence, grant, agreement, gift, permission or bond into a lesser Great Register and Public Record of one (1) of the Societies associated with One Heaven in accord with this Covenant.

A Life Record is less than a Divine Record as once a Divine Record is created it cannot be uncreated, whereas every Life Record is temporary and must eventually be transferred to become a Death Record.

A Life Record may only be issued in accord with the articles of this most sacred Covenant.

42.2 Life Record and creation of Living Trust

A Life Record is formed in accordance with this sacred Covenant when a Living

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Trust is formed being either a Trust, Superior, Temporary or Inferior Living Trust:

- (i) A True Trust is the highest form of Living Trust. A True Trust is formed through the pre-existence of a Divine Trust in the lawful conveyance from the Divine Trust into the True Trust of the Divine Rights of Use known as Divinity, being the highest possible form of any kind of Property; and
- (ii) A Superior Trust is the second highest form of Living Trust formed through the pre-existence of a True Trust in the lawful conveyance into the Superior Trust of Property in the form of Realty being the highest form of Rights of Use of Object and Concepts by Divine Right, also known as Divinity; and
- (iii) A Temporary Trust is the third highest form of Living Trust involving the temporary conveyance of property from one Superior Trust to another.
Excluding Negotiable Instruments, a Temporary Trust is not permitted to exist beyond 720 days; and
- (iv) An Inferior Trust also known as an Inferior Roman Trust, or simply Roman Trust is the lowest form of Living Trust possessing the lowest form of rights of ownership. An Inferior Trust is any Living Trust formed by inferior Roman Law, claims and statutes.

21.7. 13.3.2.2(2) INFANT DEFINED

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INTERNAL REVENUE MANUAL

Cat. No. 321 SSR (10-01-2010)

21.7.13.3.2.2 Taxpayer Identification Number (Form SS-4, Line 7b or Line 9a) (02-12-2010)

(1) Use the information in the table below to determine the requirements for Taxpayer Identification Number (Form SS-4, Lines 7b or 9a) for domestic enrolls.

Entity Type	Requirements
• Corporation • Partnership • UBO/UBT/PTO/Business Trust or • LLC	The SSN/ITIN or EIN of the principal officer, general partner, member or owner (also known as responsible party)
Sole Proprietor	The SSN/ITIN of the owner
Entity Type	Requirement
Estate	The SSN/ITIN of the decedent
Trust	The SSN/ITIN or EIN of the grantor, owner or trustor (also known as responsible party)

(2) There will be rare occasions where the grantor, owner or trustor of a domestic trust/estate entity type will not have an SSN or ITIN. In those cases, secure the

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SSNITIN or EIN of the party responsible for physically filing the Form 1041 and be in CC ESIGN as the crossreference TIN. Following are some Instances of when this may occur.

- Grantor, owner or trustor may Indicate Amish or Mennonite as the reason for not supplying on SSN or ITIN.
- An intent la the decedent of an estate or grantor, owner or trustor of trust, guardianship, receivership or custodianship that has yet to receive their SSN.

CAPITIS DIMINUTIO Definition & Legal Meaning

Definition & Citations:

In Roman law, A diminishing or abridgment of personality. Tills was a loss or curtailment of a man's status or aggregate of legal attributes and qualifications, following upon certain changes in his civil condition. It was of three kinds, enumerated as follows: Capitis diminutio maxima. The highest or most comprehensive loss of status. This occurred when a man's condition was changed from one of freedom to one of bondage, when he became a slave. It swept away with it all rights of citizenship and all family rights. Capitis diminutio media. A lesser or medium loss of status. This occurred where a man lost his rights of citizenship, but without losing his liberty. It carried away also the family rights. Capitis diminutio minima. Tile lowest or least comprehensive degree of loss of status. This occurred

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where a man's family relations alone were changed. It happened upon the arrogation of a person who had been his own master, (sui juris,) or upon the emancipation of one who had been under the patria potestas. It left the rights of liberty and citizenship unaltered. See Inst. 1, 1G, pr.; 1, 2, 3; Dig. 4, 5, 11; Mackeld. Rom. Law.

This appears in a certificate issued by the U.S. Department of state. The whole sentence is as follows: "Issued pursuant to CHXIV, State of Sept. 15, 1789, 1 Stat. 68-69; 22 USC 2657; 22USC 2651a; 5 USC 301; 28 USE 1733 et. seq.; 8 USC 1443(f); RULE 44 Federal Rules of Civil Procedure".

III. Rights

3.3 Rights Suspension and Corruption

Article 100 - Cestui Que Vie Trust Canon 2036

A Cestui Que Vie Trust, also known by several other pseudonyms such as "Term of Life or Years" or "Pur Autre Vie" or "Fide Commissary Trust" or "Foreign Situs Trust" or "Secret Trust" is a pseudoform of trust first formed in the 16th Century under Henry VIII of England on one or more presumptions including (but not limited to) one or more Persons presumed wards, infants, idiots, lost or abandoned at "sea" and therefore assumed/presumed "dead" after seven (7) years. Additional presumptions by which such a Trust may be "legally" formed were added in later statutes to include bankruptcy, incapacity, mortgages and private companies.

Canon 2037

In terms of the evidential history of the formation of Cestui Que Vie Trusts: (i) The first Cestui Que Vie Trusts formed were through an Act of Henry VIII of England in 1540 (32Hen.8 cl) and later wholly corrupted whereby the poor people of England, after having all their homes, goods and wealth seized in 1535 (27Hen.8 c.28) under the "guise" of small religious states under £200, were granted the welfare or "commonwealth" benefit of an Cestui Que Use or simply an "estate" with which to live, to work and to bequeath via a written will; and

(ii) In 1666 Westminster and the ruling classes passed the infamous "Proof of Life Act" also called the Cestui Que Vie Act (19Car.2 c.6) whereby the poor and disenfranchised that had not "proven" to Westminster and the Courts they were alive, were henceforth to be declared "dead in law" and therefore lost, abandoned and their property to be managed in their absence. This supremely morally repugnant act, which remains in force today, is the birth of Mundi and the infamous occult rituals of the British Courts in the wearing of black robes and other paraphernalia in honoring the "dead"; and

(iii) In 1707 Westminster under Queen Anne (6Ann c.18) extended the provisions of "Proof of Life" and Cestui Que Vie, extending the use of such

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structures ultimately for corporate and other franchise purposes. This wicked, profane and completely sacrilegious act in direct defiance to all forms of Christian morals and Rule of Law has remained a cornerstone of global banking and financial control to the 21st Century; and (iv) In 1796, King George III (36 Geo.3. c.52 §20) duty was applied to Estates

Pur Autre Vie for the first time; and (v) In 1837 (1 Vict. c.26) and the amendments to the nature of Wills, that if a person under an Estate Pur Autre Vie (Cestui Que Vie) did not make a proper will, then such property would be granted to the executors and administrators.

Canon 2038

In terms of the evidential history of the operation and any form of relief or remedy associated with Cestui Que Vie Trusts, taking into account all Statutes referencing Cestui Que Vie prior to 1540 are a deliberate fraud and proof of the illegitimacy of Westminster Statutes:

(i) The "first" Act outlining Cestui Que (Vie) Trusts is deliberately hidden under the claimed statutes of the reign of King Richard III in 1483 (1Rich.3 c.1) whereby the act (still in force) states that all conveyances and transfers and use of property is good, even though a purchaser may be unaware it is effectively under "cestui que

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use" (subject to a Cestui Que Vie Trust). The act also gives a vague and challenge path of relief that if one is of complete mind, not an infant and not under financial duress then any property under Cestui Que Vie Trusts is rightfully theirs for use; and

(ii) The "second" Act outlining Cestui Que (Vie) Trusts is deliberately hidden under the reign of Henry 7th in 1488 (4Hen.7 c.17) permitted lords to render any attempt by people classed as "wards" to demonstrate their freedom useless and that such lords may use writs and other devices to "force" such people back to being compliant "wards" (poor slaves). The only remedy under this act was if award demonstrated the waste of the lord as to the property (and energy) seized from the poor (ignorant white slaves); and

(iii) The "third" Act outlining the operation of Cestui Que Vie only hidden this time as Estate Pur Autre Vie was in 1741 under 14Geo.2 c.20) whereby one who was knowledgeable of the Cestui Que Vie slavery system could between the ages of 18 to 20, seek to recover such property under Cestui Que Vie and cease to be a slave. However, the same act made law that

after 20 years, the remedy for such recovery was no longer available, despite the fact that the existence of Cestui Que Vie Trusts is denied and Westminster and Banks are sworn to lie, obstruct, hide at all cost the existence of the foundations of

global banking slavery.

Canon 2039

In terms of essential elements concerning Cestui Que Vie Trusts:

- (i) A Cestui Que (Vie) Trust may only exist for seventy (70) years being the traditional accepted "life" expectancy of the estate; and
- (ii) A Beneficiary under Estate may be either a Beneficiary or a Cestui Que (Vie)Trust. When a Beneficiary loses direct benefit of any Property of the higher Estate placed in Cestui Que (Vie)Trust on their behalf, they do not "own" the Cestui Que (Vie) Trust and are only the beneficiary of what the Trustees of the Cestui Que (Vie)Trust choose to provide them; and
- (iii) The original purpose and function of a Cestui Que (Vie)Trust was to form a temporary Estate for the benefit of another because some event, state of affairs or condition prevented them from claiming their status as living, competent and present before a competent authority. Therefore, any claims, history, statutes or arguments that deviate in terms of the origin and function of a Cestui Que (Vie) Trust as pronounced by these canons is false and automatically null and void.

Canon 2040

The Trust Corpus created by a Cestui Que (Vie) is also known as the Estate from two Latin words e+statuo literally meaning "by virtue of decree, statute or judgment". However, as the Estate is held in a Temporary not permanent Trust, the (Corporate) Personas Beneficiary is entitled only to equitable title and the use of the Property, rather than legal title and therefore ownership of the Property. Only the Corporation, also known as Body Corporate, Estate and Trust Corpus of a Cestui Que (Vie) Trust possesses valid legal personality.

Canon 2041

1534, prior to the 1st Cestui Que Vie Act (1540), Henry VIII declared the first Cestui Que Vie type estate with the Act of Supremacy which created the Crown Estate. In 1604, seventy (70) years later, James I of England modified the estate as the Crown Union (Union of Crowns). By the 18th Century, the Crown was viewed as a company. However, by the start of the 19th Century around 1814 onwards upon the bankruptcy of the company: (1814/15), it became the fully private Crown Corporation controlled by European private banker families.

Canon 2042

Since 1581, there has been a second series of Cestui Que Vie Estates concerning the property of "persons" and rights which migrated to the United States for administration including:

- 1) In 1651 the Act for the Settlement of Ireland 1651-52 which introduced the concept of "settlements", enemies of the state and restrictions of movement in states of "emergency", and
- 2) In 1861 the Emergency Powers Act 1861; and
- 3) In 1931 the Emergency Relief and Construction Act 1931-32; and
- 4) in 2001 the Patriot Act 2001.

Canon 2043

Since 1591, there has been a third series of Cestui Que Vie Estates concerning the property of "soul" and ecclesiastical rights which migrated to the United States for administration including

- i) In 1661 the Act of Settlement 1661-62; and

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ii) In 1871 the District of Columbia Act 1871; and iii) In 1941 the Lend Lease Act 1941.

Canon 2044

by 1815 and the bankruptcy of the Crown and Bank of England by the Rothschilds, for the 1st time, the Cestui Que Vie Trusts of the United Kingdom became assets placed in private banks effectively becoming "private trusts" or "Fide Commissary Trusts" administered by commissioners (guardians). From 1835 and the Wills Act, these private trusts have been also considered "Secret Trusts" whose existence does not need to be divulged

Canon 2045

From 1917/18 with the enactment of the Sedition Act and the Trading with the Enemy Act in the United States and through the United Kingdom, the citizens of the Commonwealth and the United States became effectively "enemies of the state" and "aliens" which in turn converted the "Fide Commissary" private secret trusts to "Foreign Situs" (Private International) Trusts.

Canon 2046

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In 1931 the Roman Cult, also known as the Vatican created the Bank for International Settlements for the control of claimed property of associated private central banks around the world. Upon the deliberate bankruptcy of most countries, private central banks were installed as administrators and the global Cestui Que Vie Foreign Situs Trust system was implemented from 1933 onwards.

Canon 2047

Since 1933, when a child is borne in a State (Estate) under inferior Roman law, three (3) Cestui Que (Vie) Trusts are created upon certain presumptions, specifically designed to deny the child forever any rights of Real Property, any Rights as a Free Person and any Rights to be known as man and woman rather than a creature or animal, by claiming and possessing their Soul or Spirit.

Canon 2048

Since 1933, upon a new child being borne, the Executors or Administrators of the higher Estate willingly and knowingly convey the beneficial entitlements of the child as Beneficiary into the 1st Cestui Que(Vie) Trust in the form of a

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Registry Number by registering the Name, thereby also creating the Corporate Person and denying the child any rights as an owner of Real Property.

Canon 2049

Since 1933, when a child is borne, the Executors or Administrators of the higher Estate knowingly and willingly claim the baby as chattel to the Estate. The slave baby contract is then created by honoring the ancient tradition of either having the ink impression of the feet of the baby onto the live birth record, or a drop of its blood as well as tricking the parents to signing the baby away through the deceitful le leanings on the live birth record. This live birth record as a promissory note is converted into a slave bond sold to the private reserve bank of the estate and then conveyed into a 2nd and separate Cestui Que Trust per child owned by the bank. Upon the promissory note reaching maturity and the bank being unable to "seize" the slave child, a maritime lien is lawfully issued to "salvage the lost property self-monetized as currency issued in series against the Cestui Que (Vie) Trust.

Canon 2050

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Since 1933, when a child is borne, the Executors or Administrators of the higher Estate knowingly and willingly claim the baby as chattel to the Estate. The slave baby contract is then created by honoring the ancient tradition of either having the ink impression of the feet of the baby onto the live birth record, or a drop of its blood as well as tricking the parents to signing the baby away through the deceitful legal meanings on the live birth record. This live birth record as a promissory note is converted into a slave bond sold to the private reserve bank of the estate and then conveyed into a 2nd and separate Cestui Que (Vie) Trust per child owned by the bank. Upon the promissory note reaching maturity and the bank being unable to "seize" the slave child, a maritime lien is lawfully issued to "salvage" the lost property and itself monetized as currency issued in series against the Cestui Que (Vie) Trust.

Canon 2051

Each Cestui Que Vie Trust created since 1933 represents one of the 3 Crowns representing the 3 claims of property of the Roman Cult, being Real Property. Personal Property and Ecclesiastical Property and the denial of any rights to men and women, other than those chosen as loyal members of the society and as Executors and Administrators.

Canon 2052

The Three (3) Cestui Que Vie Trusts are the specific denial of rights of Real Property, Personal Property and Ecclesiastical Property for most men and women, corresponds exactly to the three forms of law available to the Galla of the Bar Association Courts. The first form of law is corporate commercial law is effective because of the 1st Cestui Que Vie Trust. The second form of law is maritime and trust law is effective because of the 2nd Cestui Que Vie Trust. The 3rd form of law is Talmudic and Roman Cult law is effective because of the 3rd Cestui Que Vie Trust of Baptism.

Canon 2053

The Birth Certificate issued under Roman Law represents the modern equivalent to the Settlement Certificates of the 17th century and signifies the holder as a pauper and effectively a Roman Slave The Birth Certificate has no direct relationship to the private secret trusts controlled by the private banking network, nor can it be used to force the administration of a state or nation to divulge the existence of these secret trusts.

Canon 2054

As the Cestui Que Vie Trusts are created as private secret trusts on multiple presumptions including the ongoing bankruptcy of certain national estates, they remain the claimed private property of the Roman Cult banks and therefore cannot be directly claimed or used

Canon 2055

While the private secret trusts of the private central banks cannot be directly addressed, they are still formed on certain presumptions of law including claimed ownership of the name, the body, the mind and soul of infants, men and women. Each and every man and woman has the absolute right to rebuke and reject such false presumptions as a member of One Heaven and holder of their own title.

Canon 2056

Given the private secret trusts of the private central banks are created on false presumptions, when a man or woman makes clear their Live Borne Record and

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claim over their own name, body, mind and soul, any such trust based on such false presumptions ceases to have any property.

Canon 2057

Any Administrator or Executor that refuses to immediately dissolve a Cestui Que (Vie) Trust, upon a Person establishing their status and competency, is guilty of fraud and fundamental breach of their fiduciary duties requiring their immediate removal and punishment.

Presumptions within Law

ALIENATE. To convey; to transfer the title to property. Co. Litt. 1186. Alien is very commonly used in the same sense. 1 Wash b. Real Prop. 53.

"Sell, alienate, and dispone" are the formal words of transfer in Scotch conveyances of heritable property. Bell.

"The term alienate has a technical legal meaning, and any transfer of real estate, short of a conveyance of the title, is not an alienation of the estate. No matter in what form the sale may be made, unless the title is conveyed to the purchaser, the estate is not alienated." Masters v. Insurance Co., 11 Barb. (N. Y.) 630.

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Alienatio licet prohibeatur, consensu tamen omnium, in quorum favorem prohibita est, potest fieri, et quilibet potest renunciare juri pro se introducto. Although alienation be prohibited, yet, by the consent of all in whose favor it is prohibited, it may take place; for it is in the power of any man to renounce a law made in his own favor. Co. Litt. 98. Alienatio rei præfertur juri accrescendi. Alienation is favored by the law rather than accumulation. Co. Litt. 185.

Corpus Juris Secundum

The death of the person on whose estate administration is sought is a jurisdictional requisite. While the presumption of death rising from absence may present a prima facie case sufficient to warrant a grant of administration, if it subsequently develops that such person is in fact alive, the administration is void.

It is absolutely essential to jurisdiction of the administration of an estate that the person on whose estate such administration is granted is dead. A living person has no estate subject to probate, and there is no vested right of inheritance in the estate of a living person. Any administration on the estate of a living person is void.

7 American Juris Prudence 2d

In some jurisdictions the attorney general is designated by statute as the public officer charged with the duty of bringing actions for escheat or for a sale or conveyance as escheated property. Where state and county interests as to escheat of the state of an intestate are at odds, the attorney general has a valid public interest in representing the state. Upon a determination that there are heirs to escheated property the state no longer has any right or interest in the property and the attorney general may not contest the distribution of the estate on the ground that other heirs may exist who have a better claim.

Initiating the Name Change Process

Step 1: The process begins in the courtroom, where you must petition for a legal name change. This involves filing a formal request and providing a valid justification for the change to a judge. The complexity of this procedure may vary depending on the jurisdiction, but typically includes submitting personal identification, completing required forms, and potentially publishing your intent in a local newspaper. Upon approval, you will receive a legal document—often referred to as a court order—confirming your new name.

Notifying the Social Security Administration (SSA)

Step 2: Once you have received your court order, the next important step is to inform the SSA of your name change. This is essential to ensure that your Social Security records accurately reflect your new name. Typically, this involves completing an application for a new Social Security card and submitting it along with the necessary documentation, including your court order, identification, and your current Social Security card.

Requesting SSN Update and Account Closure

Step 3: This step involves formally requesting that the SSA update your Social Security Number (SSN) records to reflect your new name and close any associated public welfare benefits accounts. This ensures that your identity is consistently represented across all governmental records, and that your SSN accurately reflects your current legal name.

Declaring Active Status

Step 4: In this step, you inform the SSA of your active status as a living

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individual. This is essential to prevent any erroneous assumptions of inactivity or death that could impede your access to benefits or services. It serves to affirm your ongoing presence and ensure that your rights and assets are safeguarded and effectively managed.

Proper Use of Form SSA-89

Step 5: This step involves correctly using Form SSA-89 to authorize the SSA to release your SSN verification to a third party. This form is often required for banking and financial transactions that necessitate confirmed identity verification. Proper application of this form ensures that transactions and accounts are securely and accurately processed under your legal name.

Transferring Assets and Securities

Step 6: This phase involves ensuring that all assets, securities, and interests managed under your SS trust or associated with your SSN are accurately transferred to reflect your new legal identity. It requires careful record-keeping and updating of all holdings to ensure smooth management and continued access to your assets.

Updating Life Estate and Remainder Interest

Step 7: If applicable, this step involves revising your SS trust documents to account for any changes in life estate arrangements or remainder interests. This process requires legal and financial diligence to ensure that your estate planning accurately reflects your current circumstances and intentions, thereby protecting your assets and ensuring their distribution aligns with your wishes.

Each step is crucial to the process, demanding careful attention to detail and, frequently, legal or professional guidance for effective navigation. This overview offers a framework for understanding the complexities involved in updating your SSA records and managing your SS trust during a name change, emphasizing the significance of each action in safeguarding your identity and assets.